IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

Bail Appl..No. 996 of 2007(L)

CC.873/2004 of JFCM- MUVATUPUZHA

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PETITIONER/ACCUSED:

LONAPPAN, S/O.ANTONY,
MEEKKATTUKULAM, CHATTIKULAM, CHELAKKUDY.

BY ADV. SRI.C.HARIKUMAR

RESPONDENT/STATE:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 996 OF 2007

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DATED THIS THE 20TH DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the accused in C.C.No.873/04 on the file of J.F.C.M., Muvattupuzha for an offence punishable under section 138 of the Negotiable Instruments Act, 1881, seeks anticipatory bail.

2. Admittedly, non-bailable warrants of arrest are pending against the petitioner. The petitioner has a contention that he did not receive any summons from the court of the Magistrate. That is a matter for him to raise before the Magistrate. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the contention of the petitioner that no summons was received by him.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn